

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAY 21 2010

Returned to applicant for correction _____

Corrected application filed _____ Map filed _____

The applicant Nevada Power Company dba NV Energy6226 West Sahara Ave.of Las Vegas

Street Address or PO Box

City or Town

NV 89146

State and ZIP Code

hereby make(s) application for permission to change the

☒ Point of diversion☐ Place of use☐ Manner of use☐ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Application 54484

1. The source of water is an underground source
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 2.0 CFS
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Industrial cooling and other uses associated with power production and coal gasification
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
4. The water heretofore used for _____
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
At a location within NW 1/4 of the SW 1/4, of Section 21, T. 17S, R. 64E, MDM or at a point from which the Southwest corner of Section 21, T. 17S, 64E, MDM bears S. 08 degrees 54' 55" E. a distance of 2124.27 feet.
R W
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
being within the SW 1/4 of the NE 1/4 of Section 2, T. 18S, R. 63E, MDB&M or at a point from which the East Quarter corner (1/4 corner) of said Section bears S. 79 degrees 51' 54" E. a distance of 2274.91 feet. (note: this is the point of diversion on application 54484 which has not been granted but is ready for action.)

216-22

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

See attachment

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

The works currently exist

12. Estimated cost of works N/A

13. Estimated time required to construct works N/A

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 2 Years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

16. Miscellaneous remarks:

See Attachment

rott@nvenergy.com

E-mail Address

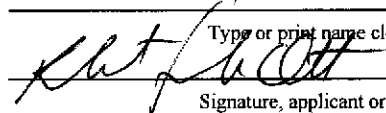
702-402-5764

Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Robert Ott

Type or print name clearly



Signature, applicant or agent

Nevada Power Company dba NV Energy

Company Name

6226 West Sahara MS 25

Street Address or PO Box

Las Vegas NV 89146

City, State, ZIP Code

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ATTACHMENT

Line 7:

The SE 1/4, a portion of the NE 1/4 of the SW 1/4 and a portion of the SE 1/4 of the SW 1/4 of Section 12; the NE 1/4, the SE 1/4, the SW 1/4, the NE 1/4 of the NW 1/4, the SE 1/4 of the NW 1/4, a portion of the NW 1/4 of the NW 1/4 and a portion of the SW 1/4 of the NW 1/4 of Section 13, the NE 1/4 and the SE 1/4 of section 35, all of Sections 24, 25, and 36, T.17S., R.63E., MDM.

The SW 1/4 and the SE 1/4 of Section 7, all of Sections 18, 19, 30, and 31, T.17S., R.64E., MDM.

The NE 1/4 of Section 2 and the NW 1/4 of Section 1, T.18S., R.64E., MDM.

Line 16:

This application to change the point of diversion is being filed solely as a result of the Nevada Supreme Court's decision in Great Basin Water Network, et al., v. State Engineer, 126 Nev. Adv. Opn. 2, January 28, 2010. Applicant currently holds Application 54484, which was filed with the State Engineer's Office on February 26, 1990. This instant Application is NOT to be construed as a withdrawal of Application 54484. Applicant requests that the date of filing of this application relate back to that of 54484. It should be noted that there are some differences between this Application and Application 54484 to account for current operations, but the source of water, basin and requested water duty and diversion rates are the same. The point of diversion is being changed to an existing well within the basin.